

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHANTELL GOSZTYLA,

Petitioner,

v.

M. PARALLES,

Respondent.

1:21-cv-01462-HBK (HC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Petitioner is proceeding *pro se* on her petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. (Doc. No. 1). Petitioner is a prisoner incarcerated in Madera County, which is located within the jurisdiction and venue of this court's Fresno Division. Petitioner challenges her state sentence and conviction entered by the Superior Court of Sacramento County, which is located within the jurisdiction and venue of the Sacramento Division of the United States District Court for the Eastern District of California.

Under 28 U.S.C. § 2241(d), jurisdiction is proper in the judicial district where the petitioner was convicted or where the petitioner is incarcerated. Therefore, both the Fresno Division and the Sacramento Division of the Eastern District of California have concurrent jurisdiction. *See* 28 U.S.C. § 2241(d); *Rumsfeld v. Padilla*, 542 U.S. 426, 428 (2004). However, “[f]or the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” 28

1 U.S.C. § 1404(a). Federal courts in California generally hear petitions for writ of habeas corpus
2 in the district of conviction. *Favor v. California*, No. 116-CV-01912-DAD-EPG-HC, 2017 WL
3 2671006, at *1 (E.D. Cal. June 21, 2017) (citing *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D.
4 Cal. 1968)).

5 Thus, the Court finds in its discretion “and in furtherance of justice” the petition should be
6 transferred to the Sacramento Division of the Eastern District of California. 28 U.S.C. §§1404(a),
7 2241(d). Further, the Court declines to rule on Petitioner’s pending motion for extension of time.
8 (Doc. No. 2).

9 Accordingly,

- 10 1. The Clerk shall transfer this action to the Sacramento Division of the United States
11 District Court for the Eastern District of California; and
12 2. All future filings shall reference the new case number assigned and shall be filed at:

13
14 United States District Court
15 Eastern District of California
16 501 “T” Street, Suite 4-200
17 Sacramento, CA 95814

18 Dated: October 1, 2021

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20 HELENA M. BARCH-KUCHTA
21 UNITED STATES MAGISTRATE JUDGE
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